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Attorney for Debtor-In-Possession,
Hortensia Carmona

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA

In Re:)	Case No.: 12-08679-PB11
)	
Hortensia Carmona,)	NOTICE OF FIRST
)	DAY/EMERGENCY MOTION FILED
Debtor-in-Possession.)	BY HORTENSIA CARMONA FOR
)	INTERIM USE OF CASH
)	COLLATERAL OF ONE WEST BANK,
)	FSB – 881 E. 41st Street, Los Angeles,
)	CA 90011
)	
)	Judge: Honorable Peter W. Bowie

**TO THE HONORABLE, UNITED STATES BANKRUPTCY JUDGE, THE HONORABLE
PETER W. BOWIE; THE UNITED STATES TRUSTEE; SECURED CREDITOR ONE
WEST BANK, FSB:**

NOTICE IS HEREBY GIVEN THAT the Debtor and Debtor-In-Possession, Hortensia Carmona ("Debtor") intends to and hereby does move the Court for an Order granting the following *First Day/Emergency Motion*, a true and correct copy of each of which has been duly filed and served concurrently herewith:

FURTHER NOTICE IS HEREBY GIVEN THAT the *First Day/Emergency Motions* identified above have been filed pursuant to Appendix D1 of the Local Bankruptcy Rules of the Southern

1 District of California. Any Party in Interest who opposes the *First Day Motion* identified above must
2 immediately notify - the law clerk to the Honorable Peter W. Bowie (the judge assigned to this
3 bankruptcy case) - by calling (619) 557-5157. NO WRITTEN OPPOSITION SHALL BE FILED
4 TO THE *FIRST DAY MOTION* IDENTIFIED ABOVE UNLESS THE COURT OTHERWISE
5 AUTHORIZES AND DIRECTS.
6

7 Debtor is aware that the above referenced action was filed on June 20, 2012. The Debtor stopped the
8 use of cash collateral immediately upon the filing and has been operating by informing creditors that
9 payment on ongoing operational expenses will be delayed for a short period of time.

10 As such, the Debtor respectfully requests that the above noticed motions be treated as first day
11 motions under Appendix D1. Notice will be provided to the ONE WEST BANK, FSB, and the
12 FDIC by certified mail.
13

14
15 **Law Offices of Andrew H. Griffin, III**

16 Dated: June 22, 2012

/s/ Andrew H. Griffin, III
Andrew H. Griffin, III, Esq.
Attorney for Debtor-In-Possession,
Hortensia Carmona

DECLARATION OF SERVICE VIA U.S. CERTIFIED MAIL & U.S. FIRST CLASS MAIL

I, **THEMBA GUILLE** declare that I am, and was at the time of service of the papers herein referred to over the age of eighteen years and not a party to the action; and I am employed in the County of San Diego, California, within which county the subject mailing occurred. My business address is 275 E. Douglas Avenue, Suite 112, El Cajon, California 92020. I served the following document(s):

NOTICE OF FIRST DAY/EMERGENCY MOTION FILED BY HORTENSIA CARMONA FOR INTERIM USE OF CASH COLLATERAL OF ONE WEST BANK, FSB – 881 E. 41st Street, Los Angeles, CA 90011

EMERGENCY/FIRST DAY MOTION FOR USE OF MOTION FOR USE OF CASH COLLATERAL FOR ONE WEST BANK – 881 E. 41st Street, Los Angeles, CA 90011

DECLARATION OF HORTENSIA CARMONA IN SUPPORT OF MOTION FOR USE OF CASH COLLATERAL FOR ONE WEST BANK – 881 E. 41st Street, Los Angeles, CA 90011

X (U.S. Certified Mail) by placing a copy thereof in a separate envelope for each addressee named hereafter, addressed to each such addressee respectively as follows:

Joseph M. Otting, CEO, President and Director
OneWest Bank, FSB
888 East Walnut Street
Pasadena, CA 91101
(Sent via Certified Mail)
(CEO, President and Director for OneWest Bank)

Joseph J. Sano
Federal Deposit Insurance Corp.
25 Jessie Street at Ecker Square, Suite 1400
San Francisco, CA 94105
(Sent via Certified Mail)

X (U.S. First Class Mail) by placing a copy thereof in a separate envelope for each addressee named hereafter, addressed to each such addressee respectively as follows:

Asset Acceptance, LLC
P.O. Box 2036
Warren, MI 48090-2036

American Express
P.O. Box 105278
Atlanta, GA 30348-5278

American Express
P.O. Box 981537
El Paso, TX 79998-1537

1 Austin P. Nagel, Esq.
2 111 Deerwood Road, Suite 305
3 San Ramon, CA 94583-1530

4 Bank of America Home Loans
5 P.O. Box 941633
6 Simi Valley, CA 93094-1633

7 Bayview Loan Servicing, LLC
8 4425 Ponce De Leon Blvd., 5th Floor
9 Miami, FL 33146-1837

10 Chase Bank
11 P.O. Box 15298
12 Wilmington DE 19850-5298

13 Creditors Bankruptcy
14 P.O. Box 740933
15 Dallas, TX 75374-0933

16 Discover Bank
17 DB Servicing Corporation
18 P.O. Box 3025
19 New Albany, OH 43054-3025

20 Edward T. Weber
21 Routh, Crabtree Olsen PS
22 1241 E. Dryer Road, #250
23 Santa Ana, CA 92705-5611

24 Kohl's
25 P.O. Box 30510
26 Los Angeles, CA 90030-0510

27 Macy's
28 P.O. Box 8217
Mason OH, 45040-8217

OneWest Bank, FSB
6900 Beatrice Drive
Kalamazoo, MI 49009-9559

Prober & Raphael, a Law Corp
20780 Ventura Blvd., #100
Woodland Hills, CA 91364

1 M&T Bank
2 Legal Document Processing
3 1100 Wherle Drive
4 Williamsville, NY 14221-7748

5 Target National Bank
6 c/o Weinstein and Riley, PS
7 2001 Western Avenue, Suite 400
8 Seattle, WA 98121-3132

9 Wells Fargo Card Services
10 c/o Recovery Department
11 P.O. Box 9210
12 Des Moines, IA 50306-9210

13 Wells Fargo Home Mortgage
14 P.O. Box 10335
15 Des Moines, IA 50306-0335

16 Frances Hornback
17 18809 Pepperdine Drive
18 Carson, CA 90746

19 Hortensia Carmona
20 P.O. Box 62932
21 Los Angeles, CA 90062-0932

22 Kristin T. Mihelic
23 Office of The United States Trustee
24 402 West Broadway, Suite 600
25 San Diego, California 92101-8511

26 I then sealed each envelope and, with the postage for U.S. First Class Mail thereon fully prepaid,
27 deposited each in the United States mail at El Cajon, California, on June 26, 2012.

28 I declare under the penalty of perjury according to the laws of the United States of America that the
foregoing is true and correct and that this declaration was executed on June 26, 2012, in the County
of San Diego, State of California.

/s/ Themba Guile

Themba Guile